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2005 SEP 26 PM 11:23

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Serial No.: 09/683,179
Confirmation No.: 7982
Application of: Comiskey et al.
Filed: November 29, 2001
Group Art Unit: 2675
Examiner: Nguyen, Chanh Duy

Attorney Docket No.: H-312
Customer No.: 26245

Cambridge, Massachusetts
September 22, 2005

REQUEST FOR PARTIAL FEE REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

On July 22, the undersigned attorney filed a Request for Continued Examination (Form PTO/SB/30) and a Petition for Extension of Time (Form PTO/SB/22); copies of both are enclosed herewith. Inspection of the July 2005 Monthly Statement for the assignee's Deposit Account No. 501162 shows two errors with respect to the charges for these recent filings. The Statement is also enclosed and the relevant entries are underlined in red.

Since applicants claim small-entity status, the fees properly payable were:

Request for Continued Examination (Fee Code 2801)	\$395
Three month extension of time (Fee Code 2253, \$510, less \$60 paid with previous extension)	<u>\$450</u>
TOTAL	\$845

The fees actually charged were as follows:

Request for Continued Examination (Fee Code 1801)	\$790
Extension of time (Fee Code 1252)	<u>\$390</u>
TOTAL	\$1180

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*Application Serial No. 09/683,179
Request for Partial Fee Refund
September 22, 2005
Page 2*

Accordingly, it is respectfully requested that the sum of \$335, being the balance amount by which the applicants were overcharged, be refunded to the applicants, preferably by crediting the aforementioned Deposit Account No. 501162.

Respectfully submitted,

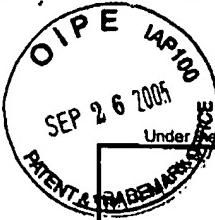

David J. Cole
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Request
for
Continued Examination (RCE)
Transmittal

Address to:
Mail Stop RCE
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Alexandria, VA 22313-1450

Application Number	09/683,179
Filing Date	11/29/2001
First Named Inventor	Comiskey et al.
Art Unit	2675
Examiner Name	Nguyen, Chanh Duy
Attorney Docket Number	IH-312

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - I. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - II. Other _____
 - b. Enclosed

I. <input checked="" type="checkbox"/> Amendment/Reply	III. <input type="checkbox"/> Information Disclosure Statement (IDS)
II. <input type="checkbox"/> Affidavit(s)/Declaration(s)	IV. <input type="checkbox"/> Other _____
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 CFR 1.17(l) required)
 - b. Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 501162. I have enclosed a duplicate copy of this sheet.
 - I. RCE fee required under 37 CFR 1.17(e)
 - II. Extension of time fee (37 CFR 1.138 and 1.17) - PETITION FOR EXTENSION ENCLOSED
 - III. Other _____
 - b. Check in the amount of \$ _____ enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature	<i>David J. Cole</i>	Date	July 22, 2005
Name (Print/Type)	David J. Cole	Registration No.	29629

CERTIFICATE OF MAILING OR TRANSMISSION

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Signature	<i>David J. Cole</i>	Date	July 22, 2005
Name (Print/Type)	David J. Cole		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>		Docket Number (Optional) H-312																								
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<table> <thead> <tr> <th></th> <th><u>Fee</u></th> <th><u>Small Entity Fee</u></th> <th></th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td>\$ 120</td> <td>\$ 60</td> <td>\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td>\$ 450</td> <td>\$ 225</td> <td>\$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td>\$ 1,020</td> <td>\$ 510</td> <td>\$ 450*</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td>\$ 1,590</td> <td>\$ 795</td> <td>\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td>\$ 2,160</td> <td>\$ 1,080</td> <td>\$ _____</td> </tr> </tbody> </table>				<u>Fee</u>	<u>Small Entity Fee</u>		<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 120	\$ 60	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ 450	\$ 225	\$ _____	<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 1,020	\$ 510	\$ 450*	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ 1,590	\$ 795	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ 2,160	\$ 1,080	\$ _____
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<p>* \$60 fee paid with previous Petition for Extension filed May 19, 2005</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>501162</u>. I have enclosed a duplicate copy of this sheet.</p>																										
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I am the	<input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96). <input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>29629</u> <input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____																									
<u><i>David J. Cole</i></u> Signature		<u><i>July 22, 2005</i></u> Date																								
<u>David J. Cole</u> Typed or printed name		<u>(617) 499 6069</u> Telephone Number																								
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p><input checked="" type="checkbox"/> Total of <u>2</u> forms are submitted.</p>																										

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To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

E INK CORPORATION
DAVID J COLE
733 CONCORD AVENUE
CAMBRIDGE MA 02138

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7 5 05	8	10904233	H-398	8021	40.00	1343.00
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7 8 05	31	10707184	H-360	2253	510.00	793.00
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7 21 05	28	09140862	INK-006	2814	65.00	15548.00
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7 26 05	8	6323989	H-305	1811	100.00	15158.00
7 26 05	17	09683179	H-312	1801	790.00	14368.00
7 26 05	18	09683179	H-312	1252	390.00	13978.00
7 26 05	104	11161179	H-422	4011	75.00	13903.00
7 26 05	105	11161179	H-422	2311	100.00	13803.00
7 26 05	106	11161179	H-422	2111	250.00	13553.00

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/683,179
		Filing Date	November 29, 2001
		First Named Inventor	Comiskey, Barrett
		Art Unit	2675
		Examiner Name	Nguyen, Chanh Duy
Total Number of Pages in This Submission	6	Attorney Docket Number	H-312

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to (TC)	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application			
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Remarks

Request for Partial Fee Refund

Copies of PTO/SB/30, PTO/SB/22, and Deposit Account Statement

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature	<i>David J. Cole</i>		
Printed name	David J. Cole		
Date	September 22, 2005	Reg. No.	29629

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Signature	<i>David J. Cole</i>		
Typed or printed name	David J. Cole	Date	September 22, 2005

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Application Number 09/683,179		Filed 11/29/2001		
For ADDRESSING SCHEMES FOR ELECTRONIC DISPLAYS				
Art Unit 2675		Examiner Chanh Nguyen		
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02 FC:1252 390.00 DA

Adjustment date: 11/04/2005 SDIRETAA1 00000012 09683179
07/26/2005 HVUONG1 00000011 501162 09683179
02 FC:1252 390.00 CR

JUL 25 2005

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	Filing Date	11/29/2001
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	Art Unit	2675
	Examiner Name	Nguyen, Chanh Duy
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>David J. Cole</i>	Date	July 22, 2005
Name (Print/Type)	David J. Cole	Registration No.	29629

CERTIFICATE OF MAILING OR TRANSMISSION

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1 FC:1801 790.00 DA

Adjustment date: 11/04/2005 SDIRETAA1 00000011 501162 09683179
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